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**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

YUPEI TIAN,

Plaintiff,

v.

PRUCO LIFE INSURANCE  
COMPANY, THE PRUDENTIAL  
INSURANCE COMPANY OF  
AMERICA,

Defendants.

**CASE NO. C07-04343-JW**

**STIPULATION AND [PROPOSED]  
ORDER SELECTING ADR PROCESS**

Counsel report that they have met and conferred regarding ADR and have reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

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1 The parties agree to participate in the following ADR process:

2 Court Processes:

- 3 ☐ Non-binding Arbitration (ADR L.R. 4)
- 4 ☐ Early Neutral Evaluation (ENE) (ADR L.R. 5)
- 5 ☒ **Mediation (ADR L.R. 6)**

6 Private Process:

- 7 ☐ Private ADR: Mediation through JAMS
- 8

9 The parties agree to hold the ADR session (MEDIATION) by:

- 10 ☒ **the presumptive deadline of 90 days from the date of the order**
- 11 **referring the case to an ADR process, unless otherwise ordered**
- 12 ☐ other requested deadline \_\_\_\_\_
- 13
- 14

15 Dated: November 21, 2007

CAMPBELL, Warburton, Fitzsimmons,  
Smith, Mendell & Pastore

17 By: \_\_\_\_\_/s/\_\_\_\_\_  
18 Lisa Jeong Cummins  
19 Attorneys for Plaintiff  
YUPEI TIAN

21 Dated: November 21, 2007

GORDON & REES, LLP

23 By: \_\_\_\_\_/s/\_\_\_\_\_  
24 Leslie K. Crary  
25 Attorneys for Defendants  
26 PRUCO LIFE INSURANCE COMPANY  
27 and THE PRUDENTIAL INSURANCE  
28 COMPANY OF AMERICA

1 PURSUANT TO GENERAL ORDER 45,

2  
3 I, Lisa Jeong Cummins, the ECF User transmitting and filing this **STIPULATION AND**  
4 **[PROPOSED] ORDER SELECTING ADR PROCESS**, attest that I have obtained the  
5 concurrence of Leslie K. Crary on this filing. I declare the foregoing under the penalty of perjury.  
6

7 DATED: November 21, 2007

CAMPBELL, Warburton, Fitzsimmons,  
SMITH, MENDELL & PASTORE

8  
9 By: \_\_\_\_\_/s/\_\_\_\_\_  
10 Lisa Jeong Cummins  
11 Attorneys for Plaintiff  
YUPEI TIAN

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16 **[PROPOSED] ORDER**

17 Pursuant to the Stipulation above, the captioned matter is hereby referred to:

18 MEDIATION

19 Deadline for ADR session

20 ☒ **90 days from the date of this order.**

21 ☐ other

22 IT IS SO ORDERED.

23  
24 Dated:

UNITED STATES DISTRICT JUDGE